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ATTORNEYS FOR
DEBTOR IN POSSESSION

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

In re:	§	Case No. 25-40248-ELM-11
	§	Chapter 11 (Subchapter V)
PIVOTAL MED SUPPLY, LLC,	§	
	§	
Debtor.	§	
	§	

MOTION FOR AN EXTENSION OF TIME TO FILE SCHEDULES OF ASSETS AND LIABILITIES, SCHEDULE OF EXECUTORY CONTRACTS, AND STATEMENT OF FINANCIAL AFFAIRS

The above-captioned debtor and debtor-in-possession (the "**Debtor**"), hereby file this its *Motion for Extension of Time to File Schedules of Assets and Liabilities, Schedule of Executory Contracts, and Statement of Financial Affairs* (the "**Motion**"), and in support thereof would respectfully show the Court as follows:

JURISDICTION

1. This Court has jurisdiction over this Motion under 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of these proceedings and this Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409. The legal predicate for the relief requested herein is Sections 105 and 521 of the Bankruptcy Code and Rule 1007 of the Federal Rules of Bankruptcy Procedure.

BACKGROUND

2. On January 23, 2025 (the “Petition Date”), the Debtor filed a voluntary petition for relief with the Court under chapter 11 of the Bankruptcy Code. The Debtor is operating its business and managing its property as debtor in possession pursuant to sections 1184 of the Bankruptcy Code. As of the date of filing hereof, the Subchapter V Trustee has not yet been appointed. No request for the appointment of a trustee or examiner has been made in this Subchapter V chapter 11 case, and no committees have been appointed or designated.

3. The Debtor is a retail distributor (through prescription) of wound care solutions such as Alginate, Collagen, Foam and Hydrogel Dressings and Compression Garments. Further information regarding the Debtor’s business is found in the Declaration of Noah Seitel in Support of First Day Motions filed contemporaneously herewith (the “First Day Declaration”).

RELIEF REQUESTED

4. The Debtor seeks an extension of the period in which to complete and file its (1) schedules of assets and liabilities, (2) schedule of executory contracts, and (3) statement of financial affairs (collectively, the "Schedules and Statements") as required by section 521 of the Bankruptcy Code and Rule 1007 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"). Bankruptcy Rule 1007(c) provides for the extension, for cause, of the time for the filing of the Schedules and Statements. Fed. R. Bankr. P. 1007(c).

5. Because the Debtor made the decision to commence this case shortly before filing its petition and did not have significant time to work on the Schedules and Statements prior to the Petition Date, the Debtor anticipates that it may be unable to complete its Schedules and Statements in the 14 days provided under Bankruptcy Rule 1007(c). Obtaining all necessary

information will require the Debtor to expend a substantial amount of time and effort and may require the cooperation of certain third parties.

6. While the Debtor is mobilizing to work diligently and expeditiously to prepare the Schedules and Statements, the Debtor's resources are limited. In view of the amount of work entailed in completing the Schedules and Statements and the competing demands upon the Debtor's resources to assist in efforts to stabilize business operations during the initial postpetition period, the Debtor will not be able to properly and accurately complete the Schedules and Statements within the required 14-day time period.

7. The Debtor respectfully submits that focusing the attention of key personnel on critical operational and Chapter 11 compliance issues during the early days of this case will help the Debtor make a smooth transition into Chapter 11 and, therefore, ultimately will help maximize the value of the Debtor's estate to the benefit of creditors and parties in interest. Nevertheless, recognizing the importance of the Schedules and Statements in this Chapter 11 case, the Debtor intends to complete the Schedules and Statements as quickly as possible under the circumstances.

8. The Debtor anticipates that it will be able to file the Schedules and Statements, all in the appropriate formats prescribed by the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules of this Court, by **February 19, 2025**, which is 26 days after the Petition Date. The requested extension contemplates completion of the Schedules and Statements in advance of the section 341 meeting to be scheduled approximately 30 days after the Petition Date.

9. In view of the amount of information that must be assembled and compiled, and the limited time available to do so, ample cause exists for the requested extension. Further, courts

in this district have previously granted similar relief. While the Debtor believes that the requested extension will provide sufficient time to permit it to complete and file the Schedules and Statements, the Debtor reserves the right to seek additional extensions on appropriate notice and motion to the Court.

WHEREFORE, the Debtor respectfully requests that the Court enter an order (i) granting this Motion; (ii) extending the Debtor's time to file its schedules of assets and liabilities, schedule of executory contracts, and statement of financial affairs through the dates requested herein, and (iii) granting such other and further relief as is just and proper.

Dated: January 27, 2025

Respectfully Submitted,

CM LAW, PLLC

By: /s/ Richard Grant
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ATTORNEYS FOR
PIVOTAL MED SUPPLY, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has transmitted a true and correct copy of the foregoing (a) via the Court's Electronic Case Filing system to all persons participating therein on January 27, 2025 and (b) in the manner and on the dates specified in the Certificate of Service of First Day Motions filed contemporaneously herewith, to the (i) the Office of the United States Trustee for the Northern District of Texas; (ii) the Debtors' secured creditors; (iii) the Debtors' twenty largest unsecured creditors; (iv) those persons who have formally appeared in this case and requested service pursuant to Bankruptcy Rule 2002; (v) the Internal Revenue Service; (vi) the Subchapter V Trustee, if appointed; and (vii) all other applicable government agencies to the extent required by the Bankruptcy Rules or the Local Rules.

/s/ Richard Grant
Richard G. Grant

EXHIBIT A

PROPOSED ORDER

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

In re:	§	Case No. 25-40248-ELM-11
	§	Chapter 11 (Subchapter V)
PIVOTAL MED SUPPLY, LLC,	§	
	§	
Debtor.	§	
	§	

**ORDER EXTENDING TIME TO FILE SCHEDULES OF ASSETS AND LIABILITIES,
SCHEDULE OF EXECUTORY CONTRACTS, AND
STATEMENT OF FINANCIAL AFFAIRS**

Upon the motion (the “Motion”) of the above-captioned debtor and debtor in possession (collectively, the “Debtor”) for entry of an order (this “Order”), (a) extending the time period to file its Schedules and Statements, and (b) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtor’s notice of the Motion and

opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court; and this Court having determined that the legal and factual bases set forth in the Motion and at the hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted as forth herein.
2. Pursuant to section 521 of the Bankruptcy Code and Bankruptcy Rules 1007(c) and 9006(b), the time by which the Debtor shall file the Schedules and Statements is extended until **February 19, 2025**. Such extension is without prejudice to the Debtor's right to request a further extension.
3. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).
4. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Bankruptcy Rules and the Local Rules are satisfied by such notice.
5. The terms and conditions of this Order are immediately effective and enforceable upon its entry.
6. The Debtor are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

<<< END OF ORDER >>>

Submitted by:

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